

**CONTINUING APPLICATION TRANSMITTAL UNDER RULE 1.53(b)
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mail Stop: Patent Application

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: October 17, 2003

Sir:

Transmitted herewith for filing under 37 C.F.R. §1.53(b) is a Divisional application of prior pending Application No. 09/147,770, filed April 28, 1999.

For (Title): NITRIC ESTER DERIVATIVES AND THEIR USE IN TREATING
GASTROINTESTINAL TUMORS

By (Inventors): Piero DEL SOLDATO and Francesco SANNICOLO

1. ☒ A Declaration and Power of Attorney is attached. The attached Declaration and Power of Attorney is:
- ☒ a. A copy of the Declaration and Power of Attorney from the parent application. (Used with the same or fewer inventors and (a) a copy of the prior application or (b) a revised, reformatted or edited version of the prior application that does not contain new matter.)
- ☐ b. A new Declaration and Power of Attorney. (Used with the same, fewer or additional inventors and (a) a copy of the prior application, (b) a revised, reformatted or edited version of the prior application that does not contain new matter, or (c) a new specification.)
2. ☒ The filing fee based on entry of the concurrently filed Preliminary Amendment is calculated below:

**CLAIMS IN THE APPLICATION AFTER ENTRY OF
ANY PRELIMINARY AMENDMENT NOTED BELOW**

FOR:	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	6 - 20	= 0
INDEP CLAIMS	2 - 3	= 0
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED		

* If the difference is less than zero, enter "0".

SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
RATE	FEE		RATE	FEE
	\$ 385	OR		\$ 770
x 9 =	\$	OR	x 18	\$
x 42 =	\$	OR	x 84	\$
+140 =	\$	OR	+280	\$
TOTAL	\$ 385	OR	TOTAL	\$

3. ☒ A Check in the amount of \$385.00 to cover the filing fee is attached.
4. ☒ The Commissioner is hereby authorized to charge any other fees that may be required to complete this filing, or to credit any overpayment, to Deposit Account No. 01-2300.
5. ☒ Amend the specification by inserting before the first line the sentence:
--This is a Division of Application No. 09/147,770 filed April 28, 1999, which is a §371 of International Application No. PCT/EP97/04774 filed September 2, 1997. The disclosure of the prior applications is hereby incorporated by reference herein in its entirety.--
6. ☒ Priority of foreign application No. MI96A001821 filed September 4, 1996 in Italy is claimed under 35 U.S.C. §119 and/or §365(b).
7. ☒ The certified copy of the priority document was received in prior Application No. 09/147,770 from the International Bureau.
8. ☒ The prior application is assigned of record to Nicox S.A., recorded at Reel 009969, Frame 0248 on April 28, 1999.
9. ☒ An Information Disclosure Statement is attached along with Form PTO-1449.

15915 U.S. PTO
101703

03945 U.S. PTO
10/686907
101703

10. ☒ Small entity status:
☒ A small entity statement was filed in the parent application and such status is still proper and desired.
11. ☒ Other: Declaration under 37 C. F.R. §1.132
12. ☒ The Power of Attorney in the application is to:

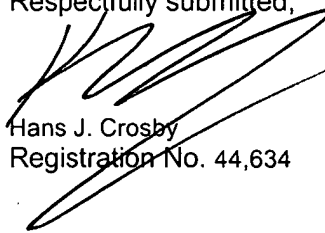
Anderson, Lynne D., Reg. No. 46,412
Barton, Rhonda L., Reg. No. 47,271
Berman, Richard J., Reg. No. 39,107
Carlan, Janine, Reg. No. 42,387
Carpenter, Robert K., Reg. No. 34,794
Chesser, Wilburn, Reg. No. 41,668
Crosby, Hans J., Reg. No. 44,634
Hill, Rustan J., Reg. No. 37,351
Ho, Raymond J., Reg. No. 41,838
Hsu, John, Reg. No. 45,563

Huang, Sam, Reg. No. 48,430
Jenkins, Marylee, Reg. No. 37,645
Loughlin, Leo, Reg. No. 42,811
Marmelstein, Charles M., Reg. No. 25,895
Murphy, Christopher, Reg. No. 39,786
Oram, George, E., Jr., Reg. No. 27,931
Ozgu, Murat, Reg. No. 44,275
Stahnke, Sarah, Reg. No. 54,854
Sundararajan, Bala, Reg. No. 50,900
Wong, King, Reg. No. 37,500

13. ☒ Address all future communications to:

CUSTOMER No. 004372
ARENT FOX KINTNER PLOTKIN & KAHN, PLLC
1050 CONNECTICUT AVENUE, N.W.,
SUITE 400
WASHINGTON, D.C. 20036-5339

Respectfully submitted,


Hans J. Crosby
Registration No. 44,634

Customer Number 004372
ARENT FOX KINTNER PLOTKIN & KAHN, PLLC
1050 Connecticut Avenue, N.W., Suite 400
Washington, D.C. 20036-5339
Tel: (202) 857-6000; Fax: (202) 638-4810

check # 367522